

Stevens, Jim

From: Noelle Wooten <noelle.wooten@nelsonmullins.com>
Sent: Wednesday, September 26, 2018 9:02 AM
To: Stevens, Jim
Cc: Pritchard, Jeffrey
Subject: RE: Extension - Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

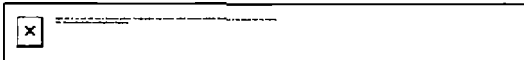
Hello Jim,

I write to acknowledge your message below and to thank you for granting Office Depot' Inc.'s request for a 30-day extension of time until October 28, 2018, to respond to the Section 104(e)(2) Information Request to Office Depot, Inc. dated August 27, 2018.

In an effort to make good and efficient use of the additional time, will you please let me know whether you anticipate being in a position to provide any additional information regarding the association believed to exist between Electric Bond & Share and the property, as well as a further details regarding the property itself (perhaps a legal description)? As noted in my earlier letter, we have been unable to identify any association linking Office Depot, Inc. (or its predecessors) to the property, and, based on what we know to date, we respectfully do not believe there to be one.

My thanks again for the extension of time and any additional information you are able to provide.

Sincerely,
Noelle



NOELLE WOOTEN PARTNER
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From: Stevens, Jim [mailto:Stevens.Jim@epa.gov]
Sent: Tuesday, September 25, 2018 6:10 PM
To: Noelle Wooten <noelle.wooten@nelsonmullins.com>
Cc: Pritchard, Jeffrey <pritchard.jeffrey@epa.gov>
Subject: RE: Extension - Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

Dear Noelle,

Thank you for the update. The EPA hereby grants Home Depot's request for a 30 day extension to respond to EPA's CERCLA 104e information request.

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Please acknowledge your receipt of this email.

Jim

James D. Stevens
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
11201 Renner Blvd
Lenexa, KS 66219
913.551.7322

From: Noelle Wooten [<mailto:noelle.wooten@nelsonmullins.com>]
Sent: Tuesday, September 25, 2018 10:17 AM
To: Stevens, Jim <Stevens.Jim@epa.gov>
Subject: RE: Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

Good morning Jim,

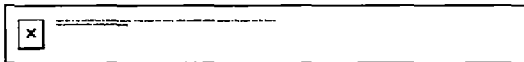
I hope this message finds you well.

As promised when we last spoke, I wanted to get back to you before the upcoming deadline of September 28, 2018, which is fast approaching, for Office Depot, Inc. to respond to the Section 104(e)(2) Information Request dated August 27, 2018. In furtherance of that promise, I have attached a letter request for your consideration. As noted in the letter, the purpose of the letter is three-fold: First, I write to provide you with an update on Office Depot, Inc.'s efforts to date to respond to the Information Request. Second, I write to request your additional assistance. And, third, for the reasons explained in the letter, I write to request an additional thirty (30) days to allow Office Depot, Inc. to complete its internal investigation and respond to the Request.

If you have any questions or wish to discuss this request, please do not hesitate to contact me directly at noelle.wooten@nelsonmullins.com, or 704.417.3035.

Again, my thanks for your prior assistance and for your consideration at this time.

Best,
Noelle



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From: Noelle Wooten
Sent: Tuesday, September 11, 2018 2:30 PM
To: 'stevens.jim@epa.gov' <stevens.jim@epa.gov>
Subject: FW: Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

Hi Jim,

I just wanted to acknowledge receipt of your message and material below. I am getting ready to take a look at the materials you shared with me now.

Again, my thanks. I will undoubtedly be back with you in the near future.

Appreciatively,
Noelle



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From: Stevens, Jim [mailto:Stevens.Jim@epa.gov]
Sent: Monday, September 10, 2018 4:40 PM
To: Noelle Wooten <noelle.wooten@nelsonmullins.com>
Subject: RE: Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

Noel,

The attachment is a discussion of the corporate history along with 2 maps. The first maps depict the locations of the old coal gas equipment and the second shows a proposed re-route of the Black Hills Energy gas pipeline that would be going thru a contaminated area – thus making it advantageous to do a removal action to remove at least some of the source area contamination. Hope this helps.

Jim

James D. Stevens
Office of Regional Counsel
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From: Noelle Wooten [mailto:noelle.wooten@nelsonmullins.com]
Sent: Monday, September 10, 2018 3:08 PM
To: Stevens, Jim <Stevens.Jim@epa.gov>
Subject: Citizens Gas & Electric former Manufactured Gas Plant, Council Bluffs, Iowa

Hello Mr. Stevens,

Thank you for returning my call and offering to provide me with additional information relating to the site which is the subject for the Section 104(e)(2) Information Request dated August 27, 2018, that was sent to Office Depot, Inc.

On behalf of Office Depot, Inc., we appreciate your willingness to assist by providing additional information regarding the location of the site and its ownership and operational history, from inception to present – to the extent possible. In other words, any additional information you can provide would be welcome. As I explained in our conversation, Office Depot, Inc. has every intention to cooperate with the request. However, it is in a bit of uncharted territory on this one – Office Depot is unfamiliar with the site and lacks personnel or knowledge from the timeframe during which the activities which are the subject of the inquiry would have taken place. Our hope is that with a better understanding as to the location of the site and parties involved, Office Depot will be better able to respond to the Information Request, or, as you noted, confirm that it simply lacks the ability to answer due to the passage of time and absence of information.

Per our conversation, once Office Depot has a better understanding of the site and whether it is able to answer the inquiry, I will be sure to circle back with you in advance of or by the 30-day deadline in the form of either a response to the Information Request or an update as to process in preparing the same.

On that note, my thanks again for your time and assistance.

Sincerely,
Noelle

Noelle E Wooten
Outside Legal Counsel for Office Depot, Inc.



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